

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RHULAND DAVIS,

Plaintiff,

– *against* –

METRO NORTH COMMUTER  
RAILROAD, ANDREW PAUL, and JOHN  
LONGOBARDI,

Defendants.

**ORDER**

21 Civ. 387 (ER) (BCM)

RAMOS, D.J.:

On June 30, 2021, Defendants filed a motion to dismiss. Doc. 16. On September 29, 2021, Plaintiff Davis then filed a first amended complaint. Doc. 22. On October 21, 2021, Defendants filed a subsequent motion to dismiss. Doc. 23. The Court issued an order on December 10, 2021 indicating that the first motion to dismiss, Doc. 16, would be denied as moot unless the parties responded by December 15, 2021. Doc. 32. Neither party having responded, the Court hereby denies as moot the first motion to dismiss, Doc. 16. The Clerk of Court is respectfully requested to terminate the motion, Doc. 16.

It is SO ORDERED.

Dated: January 6, 2022  
New York, New York



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EDGARDO RAMOS, U.S.D.J.